

House File 369 - Introduced

HOUSE FILE _____
BY UPMEYER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act creating a silver alert program within the department of
2 public safety for missing cognitively impaired persons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2262HH 83
5 jm/nh/8

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1 1 Section 1. NEW SECTION. 80G.1 SILVER ALERT PROGRAM ==
1 2 CREATION.
1 3 A silver alert program is created as a cooperative effort
1 4 between the department of public safety and local law
1 5 enforcement agencies to aid in the identification and location
1 6 of cognitively impaired persons who are missing.
1 7 Sec. 2. NEW SECTION. 80G.2 DEFINITIONS.
1 8 As used in this chapter, the following definitions apply:
1 9 1. "Cognitively impaired person" means a person sixty=five
1 10 years of age or older who is deficient in short=term or
1 11 long=term memory; orientation as to person, place, and time;
1 12 deductive or abstract reasoning; or judgment as it relates to
1 13 safety awareness.
1 14 2. "Department" means the department of public safety.
1 15 Sec. 3. NEW SECTION. 80G.3 CRITERIA.
1 16 A silver alert shall be issued by Iowa state patrol
1 17 communications upon receipt of a request from a law
1 18 enforcement agency if the following criteria apply:
1 19 1. The law enforcement agency has confirmed that a
1 20 cognitively impaired person has been missing for less than
1 21 seventy=two hours and an entry has been made into the Iowa
1 22 online articles and warrants system identifying the person as
1 23 missing. The law enforcement agency shall submit to the
1 24 department sufficient information to confirm the person is
1 25 missing on a form prescribed by the department prior to a
1 26 silver alert being transmitted.
1 27 2. The law enforcement agency believes the circumstances
1 28 surrounding the disappearance indicate the person is in danger
1 29 of serious injury or death.
1 30 3. There is enough descriptive information about the
1 31 disappearance to ensure that an immediate broadcast of the
1 32 information will aid in the discovery of the person.
1 33 Sec. 4. NEW SECTION. 80G.4 ACTIVATION AND TERMINATION.
1 34 1. Upon establishment of the silver alert criteria in
1 35 section 80G.3, the department shall transmit a silver alert
2 1 through the emergency alert system to Iowa broadcasters.
2 2 2. Upon the transmission of a silver alert the department
2 3 shall post the alert on an internet website accessible by the
2 4 public.
2 5 3. After an initial silver alert transmission, additional
2 6 information may be submitted by the participating law
2 7 enforcement agency by facsimile transmission, electronic mail,
2 8 or telephonic means.
2 9 4. The communications officer of the state patrol may
2 10 direct the transmission of an Iowa silver alert upon request
2 11 from another state, provided that there is evidence the person
2 12 may be present in Iowa.
2 13 5. A silver alert shall terminate if the person is located
2 14 or five hours have elapsed since the transmission of the
2 15 alert.
2 16 6. A silver alert may be renewed.
2 17 Sec. 5. NEW SECTION. 80G.5 RULES.
2 18 The department shall adopt rules pursuant to chapter 17A to
2 19 implement this chapter.
2 20

EXPLANATION

2 21 This bill creates a silver alert program within the
2 22 department of public safety.
2 23 The bill provides that the purpose of the program is to aid
2 24 in the identification and location of cognitively impaired
2 25 persons who are missing.
2 26 The bill defines "cognitively impaired person" to mean a
2 27 person 65 years of age or older who is deficient in short-term
2 28 or long-term memory; orientation as to person, place, and
2 29 time; deductive or abstract reasoning; or judgment as it
2 30 relates to safety awareness.
2 31 Under the bill, a silver alert shall be issued by the
2 32 department of public safety if the following apply; a law
2 33 enforcement agency has confirmed that a cognitively impaired
2 34 person has been missing for less than 72 hours and an entry
2 35 has been made into the Iowa online articles and warrants
3 1 system; the law enforcement agency believes the circumstances
3 2 surrounding the disappearance indicate the person is in danger
3 3 of serious injury or death; and there is enough descriptive
3 4 information about the disappearance to ensure an immediate
3 5 broadcast of the information will aid in the discovery of the
3 6 person.
3 7 If the criteria for issuing a silver alert have been
3 8 established, the department of public safety shall transmit a
3 9 silver alert through the emergency alert system to Iowa
3 10 broadcasters. Upon the transmission of the silver alert the
3 11 department shall also post the alert on an internet website.
3 12 The bill provides that a silver alert shall be terminated
3 13 when the person is located or five hours after transmission of
3 14 the alert.
3 15 The bill also provides a silver alert may be renewed.
3 16 LSB 2262HH 83
3 17 jm/nh/8